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Fax Cover Sheet

Date: 03 Jun 2003

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|---|---------------------------------------|
| To: Jeff Lillywhite | From: Joseph R. Pokrzywa |
| Application/Control Number: 09/237,896 | Art Unit: 2622 |
| Fax No.: (703)836-2787 | Phone No.: (703) 305-0146 |
| Voice No.: 703-836-6400 | Return Fax No.: (703) 872-9314 |
| Re: | CC: |
| <input type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> For Comment <input type="checkbox"/> For Reply <input checked="" type="checkbox"/> Per Your Request | |

Comments:

Attached is the copy of the Advisory Action that is dated 6/3/03.

Number of pages 7 including this page

STATEMENT OF CONFIDENTIALITY

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/237,896 | 01/27/1999 | SHUJI OTSUKA | 102640 | 6931 |

25944 7590 06/03/2003

OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

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|----------|
| EXAMINER |
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POKRZYWA, JOSEPH R

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2622

DATE MAILED: 06/03/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/237,896

Applicant(s)

OTSUKA ET AL.

Examiner

Joseph R. Pokrzywa

Art Unit

2622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 05 May 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 5 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.


3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: 9 and 10.Claim(s) rejected: 1-3, 6-8, 11-16, 19, 21-29 and 31-37.Claim(s) withdrawn from consideration: 38-46.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 13.
10. ☐ Other: _____


EDWARD COLES
SUPERVISORY PATENT EXAMINER
FLORENCE, ALABAMA 36600

DETAILED ACTION

Advisory Action

1. The period for reply is extended to run 5 MONTHS from the date of the final rejection. Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a) accompanied by the appropriate fee. The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. A reply within the meaning of 37 CFR 1.113 or a request for a continued examination (RCE) in compliance with 37 CFR 1.114 must be timely filed to avoid abandonment of this application.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The reference listed in the Information Disclosure Statement submitted on 5/5/03 has been considered by the examiner (see attached PTO-1449).

Response to Amendment

4. The amendment filed 5/5/03 under 37 CFR 1.116 in reply to the final rejection will be entered upon the filing of an appeal, but is not deemed to place the application in condition for allowance. Upon the filing of an appeal and entry of the amendment, the status of the claims would be as follows:

Allowed claim(s): none

Rejected claim(s): 1-3, 6-8, 11-16, 19, 21-29, and 31-37

Claim(s) objected to: 9 and 10

Response to Arguments

5. Applicant's arguments filed 5/5/03 have been fully considered but they are not persuasive.

In response to applicant's arguments regarding the rejection of amended **claim 1**, which now incorporates the limitations of the now canceled previous claims 4 and 5, stating that Von Meister (U.S. Patent Number 5,452,099) fails to teach if "the memory box includes plurality of confidential boxes and bulletin board boxes", and if "each of the confidential boxes is accompanied with the box number and an identification number, and each of the bulletin board boxes is accompanied with only the box number". Von Meister teaches that the memory box includes plurality of confidential boxes (mail boxes using the "Office Only" mode or "In Person Only" mode) and bulletin board boxes (mail boxes utilizing the "Travel" mode), as read in column 5, lines 7 through 37, whereby the memory box includes various storage spaces that store messages, whereby an originator can require various levels of security for accessing the stored

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messages, including a confidential mode (interpreted as “Office Only” or “In Person Only” modes) and a bulletin board mode (“Travel” mode), thereby being confidential boxes and bulletin board boxes. Further, Von Meister teaches that each of the confidential boxes (mail boxes using the “Office Only” mode or “In Person Only” mode) is accompanied with the box number and an identification number (column 5, line 66 through column 6, line 44, and column 13, line 1 through column 14, line 49, and seen in Figs. 6A and 6B, being the recipient’s home number in step 300 and the message number in step 340), and each of the bulletin board boxes is accompanied with only the box number (column 5, line 66 through column 6, line 6, and column 13, lines 1 through 59, and seen in Figs. 6A and 6B, as being the recipient’s home number in step 300).

6. Because of this, amended *claim 1* could still interpreted as being taught by Von Meister. Therefore, the rejection of amended *claim 1*, under 35 U.S.C. 103(a), as being unpatentable over Von Meister, cited in the Office action dated 12/3/02, is maintained.

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Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

J.R.P.

Joseph R. Pokrzywa
Examiner
Art Unit 2622

jrj
May 30, 2003



EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER